

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 20TH JULY 2006 / 29TH ASHADHA,1928

Bail Appl..No. 4339 of 2006

CMP.1295/2006 of J.M.F.C.-II, HARIPAD
(CRIME NO.87/2006 OF KARTHIKAPPALLY EXCISE RANGE)
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PETITIONER/1ST ACCUSED:

MAHILAMANI, S/O. SIVARAMAN,
PANACKAL VADAKKATHIL, MUTTOM MURI,
CHEPPAD VILLAGE, KARTHIKAPPALLY TALUK.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENTS: COUNTER PETITIONER/COMPLAINANT:

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.M. HABEEB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20/07/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A.4339/2006

DATED THIS THE 20TH DAY OF JULY, 2006

O R D E R

The petitioner surrendered before the Judicial Magistrate of First Class-II, Haripad, as he was accused, in C.R.No.87/2006 of Karthikappally Excise Range, for the offence punishable under Section 8(1) & 8(2) of the Abkari Act. He was found in illegal possession of ten liters of spirit. He remains in judicial custody. No police custody of the petitioner was sought for, after the surrender. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering that no other case is registered against the petitioner, together with the completion of the investigation, I grant bail and release the petitioner from jail, subject to the following conditions:-

- (a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent

sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-II, Harippad.

(b). The petitioner shall report before the Investigating Officer, once in a week, on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of four months, starting from 25.7.2006.

The application is allowed as above.

**J.M.JAMES
JUDGE**

mrCS